

**BEFORE THE  
FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C.**

In the Matter of:	)	
	)	
Request for Waiver	)	
	)	CC Docket No. 02-6
by	)	
	)	
Brooke County School District	)	
Wellsburg, VW	)	

TO: Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12th Street, SW  
Washington, DC 20554

Brooke County School District ("Brooke"), Billed Entity # 126722, respectfully requests the Federal Communications Commission ("FCC" or "Commission") grant it a Waiver of the FY2019 Form 471 filing deadline for FCC Form 471 Application Number 191041522. This Request for Waiver is made pursuant to 54.719 through 54.723 of the Commission's rules.<sup>1</sup>

<b>Contact Information:</b>	Beverly Wilson Educational Funding Group, Inc. CRN 16043587 E-rate Consultant to Brooke County School District 26650 Renaissance Parkway, Suite 2 Cleveland, OH 44128 Tel. 216-831-2626 Fax: 216-831-2822 <a href="mailto:beverly.wilson@naa.com">beverly.wilson@naa.com</a>
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<sup>1</sup> 47 C.F.R. §§ 54.719–54.723  
Brooke County School District FY2019 Request for Waiver of FY2019 471 filing deadline

## **STATEMENT IN SUPPORT OF WAIVER**

Although FCC Form 471 #191041522 was prepared and ready for certification prior to the close of the FY2019 filing Window, due to the unavailability of the authorized signer on March 27, 2019, the application was not certified until March 28, 2019.

Since the application was certified only one day after the close of the FY2019 Window, which was well within the 14 day grace period granted by the Commission in recent years, Brooke respectfully requests the Commission to grant it a Waiver of the filing deadline and allow FCC Form 471 #191041522 considered for funding as though timely filed within the Window. Brooke did its best to comply with all E-rate rules and intends no fraud, abuse or waste of program funds.

The Commission has repeatedly reiterated its authority under 47 C.F.R. §1.3 to waive rules for good cause shown and may exercise its discretion to waive a rule where the particular facts make strict compliance inconsistent with the public interest. See, *Northeast Cellular Telephone Co. v. FCC*, 897 F.2d 1164, 1166 (D.C. Cir. 1990). Additionally, the Commission may take into account considerations of hardship, equity, or more effective implementation of overall policy on an individual basis. *WAIT Radio v. FCC*, 418 F.2d 1153, 1159 (D.C. Cir. 1969); *Northeast Cellular*, supra.

Under the circumstances, a Waiver from the Commission will best serve the public interest and the interests of the students of the Brooke County School District.

Thank you for your consideration.

/s/ Linda Schreckinger Sadler, Esq.

On behalf of Educational Funding Group, Inc.